

Let me just kind of summarize my comments this evening and what I think is essential. First of all, I pointed out at the beginning in my remarks energy prices are beginning to drop. In fact, it is my prediction that we will actually have an electricity glut, an electrical glut here in the next year or so.

Believe it or not, last year we had 158, now this is not in California, but throughout the rest of the Nation, we had 158 new generation plants come online last year, 158. What you have been reading in the media or hearing from some of the political rhetoric is that there had not been any electrical generation facilities. We had 158.

In fact, if we build out everything that is planned for the next 5 years, if you take weekends out, we will have a new generation facility open every day for the next 5 years if you do not count weekends and if all of those projects that are planned are built out. We are going to have an excess of electric generation, but that is part of the market. It will work itself out.

But the key is this, you cannot have good energy policy by having artificial price on the product. You cannot have price caps. I know it is popular. I know it is the politically correct thing to be talking about.

I know I am going against the wave of popular thought, but the reality is, by going out and selling bonds or by putting an artificial cap or a price, one, you do not help at all in conservation, you encourage waste; and, two, somebody has to pay for it.

Remember basic accounting. Every time you have a debt, you have a credit. Every time you have a credit, it has got to balance out. Every time you sell something at an artificially low price, you have to subsidize it. Somebody is paying for it. In California, they are selling bonds to raise the cash to buy the electricity that is being used today. Those bonds are going to be paid by the working people of tomorrow. A little unfair, a little inequitable in my opinion.

But to come back to my main point, we have an obligation to help California. California has an obligation to help itself. We have an obligation in this country to conserve. That is part of it.

Probably the most important poster is this poster right here because I think this diagram illustrates our energy production if it is going to remain flat, I think it will go up a little, but if it is going to remain flat, and our energy consumption is going to continue to climb at that angle, we are going to have this projected shortfall. Common sense will allow us to fill in that shortfall. Remember, we have got to fill in all the blue on this chart. Common sense allows us to do it.

How do we do it? Conservation will fill in a part of that chart. Alternative

fuel like solar generation or alternative generation will fill in a little gap of it. But the rest of it, it is going to have to be filled in by further exploration of natural gas resources or nuclear resources or coal resources.

We can combine. Our answer is not any one of those things I mentioned, not coal, not nuclear, not conservation, not solar. None of those standing alone can solve the energy crisis that we could have in the future. Certainly it is not solving the energy crunch that we have today.

But combined, when you combine conservation with alternative fuels, with renewable energy like hydropower, with further oil and natural gas exploration, when you put that combination, you can construct a model. You can construct a model that can deliver the energy needs to this Nation without requiring undue sacrifice on the lifestyles of the people of this Nation. You can create a model that will provide energy for future generations.

After all, our discussions on this floor, our discussions are not just focused on this generation. This generation has an obligation to think about future generations. We have an obligation to provide energy just as much as we have an obligation to provide a strong defense, just as much as we have an obligation to provide a strong educational system.

It is no less of a responsibility to take a look at our future energy picture than it is to take a look at education or health care or any other issue you want to talk about for future generations. We have that opportunity today.

So I would urge my colleagues that, even while the price of energy is dropping, we have an obligation to continue to urge people to conserve. We have an obligation to continue to try and assist our colleagues in California and every other State in this country, to say just because energy has become more affordable does not mean that our energy crunch does not still exist.

We have got to plan for the future. We had that opportunity today in our hands. Now it is going to require leadership. It is going to require an energy policy which we have not seen for 8 years.

We have got a President. We have got an administrative team and many of my colleagues on both sides of the aisle that are prepared to put together an energy policy. That debate has already begun. Now we need to take it to its logical conclusion, and that is to come up with a policy for this generation and future generations of this country in regards to energy.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 933

Mr. JEFFERSON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from H.R. 933.

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### DIGITAL DIVIDE ELIMINATION ACT OF 2001

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. JEFFERSON) is recognized for 5 minutes.

Mr. JEFFERSON. Mr. Speaker, I am here today to discuss the digital divide that is plaguing our country and to garner support for legislation my colleagues and I have introduced to help alleviate this crisis, H.R. 2281, The Digital Divide Elimination Act of 2001.

Computers are becoming the crucial link to education, information, and to commerce. For all Americans, personal and economic success will depend on having the ability to understand and use these powerful information tools. However, according to the Department of Commerce, less than 10 percent of households with income below \$20,000 own computers or have used the Internet, an absolutely alarming statistic. Unless this changes, these poor families in both urban and rural areas will be left behind.

Educators and industry leaders alike realize a serious problem associated with the digital divide and are taking steps to bring computer technology to schools and libraries across America. We, as public officials, applaud these efforts. However, these efforts are not enough.

If we are going to truly give every American access to technology and improve the way our children learn, the Federal Government must join in to bolster these efforts and, more importantly, to help extend technology and technology access to every home in America. Only then will these children and their families gain an appreciation for technology and the Internet in the home, unfettered by the constraints of an institutional setting.

The legislation my colleagues and I have reintroduced this year provides additional tax incentives to induce private companies to donate computer technology and to induce poor families to purchase computers.

First, the legislation increases the special deduction for computer donations from three-fourths of the computer's sales price to the higher of the full sales price or its manufacturing cost. For example, if the manufacturing cost of a computer is \$500 and the sales price is \$1,000, the charitable deduction is increased from \$750 to \$1,000.

The special deductions for computers has already induced computer manufacturers to donate thousands of computers to schools across America. Now, as a result of this provision, computer

manufacturers will have an even greater incentive to donate unsold computers because they can deduct the full value of the computer.

In addition, non-manufacturers will also have a greater incentive to donate computer equipment even where the depreciated cost of the computer exceeds its market price. Under current law, it is more economical for many non-manufacturers to throw away used computers than to donate them to charity because they can take a higher tax deduction for disposing of the computer than for donating it. That is clearly bad tax policy. Thankfully, this provision will change that result.

Second, the legislation will extend the special computer deduction through 2004 and expand it to include donations, not only to libraries and training centers, but also to nonprofits that provide computer technology to poor families. Nonprofits such as Computers for Youth in New York City have placed computers into the homes of hundreds of low-income families. We need to encourage similar efforts by nonprofits across the country. Only then can we make our mutual goal of bringing technology into every home in America a reality.

Finally, the legislation will provide a refundable credit equal to 50 percent of the cost for computer purchases by families receiving the earned income tax credit up to \$500. While the cost of computers and Internet access are dropping, the cost of computers still remains a barrier for many low-income working families. Returning half of the cost of the computers to these families will go a long way towards helping working families help themselves and provide a brighter future for their children.

□ 2015

In fact, the \$500 refundable tax credit makes computers more affordable than ever for the working poor. Here is an example. In the June 17 edition of *The Washington Post*, which I have an example of here, Circuit City advertized a Pentium II computer for \$1,099. The price is slashed by the manufacturer and retail rebates to \$499. With this \$500 tax credit, the actual cost of that computer would be reduced to nothing, a free computer to a poor family. Computer companies and retailers will get business from a segment of the population that did not have affordable access before, and the working poor will receive affordable access. It is a win-win situation.

Mr. Speaker, bringing technology to all our children is key to our Nation's future and prosperity. I implore my colleagues to recognize the long-term negative impact that could result from not eliminating the digital divide and urge their support of this legislation. Together, we can ensure a much brighter tomorrow for our children and

give them the tools necessary to compete and lead the next generation to an even brighter future.

#### HMO REFORM

The SPEAKER pro tempore (Mr. McINNIS). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from California (Mrs. CAPPS) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CAPPS. Mr. Speaker, I rise this evening to speak about the need for a strong and enforceable patient's bill of rights for the American people.

I am one of three nurses currently serving in the House of Representatives, and there are other health professionals of all stripes among my colleagues, from doctors to public health specialists and microbiologist, from psychologists and social workers to psychiatrists. Together, in all of our experience and training, we know that we need to pass a real patient's bill of rights, a bill of rights that offers the American people real protection from the hard edges of managed care organizations or HMOs.

Tonight we are going to share with our colleagues our firsthand experiences and make the case for the Ganske-Dingell bill. We have seen firsthand the damage caused by the excesses of the bean counters and the men in green eyeshades when they are too aggressive in containing costs. These bureaucrats have often done real harm to real people when they have taken on the role of medical professionals. Those of us here in Congress with medical backgrounds want to give our constituents the ability to fight back, and we think that the Ganske-Dingell bill is the best way to do this.

This legislation guarantees access to high quality health care, including access to emergency or specialty care, to clinical trials, and direct access to pediatricians and OB-GYNs. It also holds health plans accountable when they interfere in the medical decisions of a trained medical professional. It provides for a strong external review process by medical professionals; and then, after that process, and if that process is exhausted, patients will have access to State courts.

The HMOs have bitterly criticized this proposal on the grounds it will lead to frivolous lawsuits. The Ganske-Dingell bill is based on one now in practice in the State of Texas which has allowed patients to sue their HMOs and there have been only a handful of lawsuits of any kind. There is no evidence that this bill will lead to frivolous lawsuits, but it is an essential protection that our patients need because of the deterrent factor that it provides.

Managed care organizations are operating in an environment designed to keep costs low, and we do need to control costs to keep health care afford-

able, but HMO administrators are under an incredible amount of pressure to cut corners. Often this pressure is excessive and leads to bad decisions and insensitive, inappropriate, and sometimes very damaging actions. Abuses of patients' rights to quality health care are very common, too common. There needs to be a counter force on the side of quality care, on the side of the patients, and that counter force has, at the bottom line, the threat of going to the courts.

Access to the courts will help to restore the balance to the scales and will prevent the need for efficiency outweighing the need for quality care. It is what gives the patient's bill of rights its teeth. Without it, HMOs are free to continue their current practices without fear of the consequences. My constituents do not want to go to court to get the health care that they need, but HMOs do not always want to provide that care. And HMOs do not want to go to court either. The threat of appropriate litigation is how average Americans will keep the HMOs honest. We need to give patients that tool.

Mr. Speaker, if the ceiling in this room were to collapse today because of a contractor doing shoddy work to save money, those of us who were injured would be able to sue that contractor in State court. This provides an important incentive for contractors to do their work well. The same should apply to managed care.

And so I support this legislation, as do many of my colleagues with medical backgrounds. We know our patients. We know the HMOs. We know this issue and its importance. We know the challenges we face and we know how to overcome them. We know this bill is the right thing to do. So we are here this evening, Mr. Speaker, to help our colleagues see this example as well. We have an obligation to our constituents to do our duty and to pass this legislation.

I want to now introduce and invite to the podium a colleague of mine, the gentlewoman from New York (Ms. SLAUGHTER). She is going to present her viewpoint as a microbiologist with a master's degree in public health. She is particularly respected for her efforts on genetic nondiscrimination and women's health.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from California for taking time this evening and for yielding to me.

In my judgment, one of the most important aspects of the patient's bill of rights gets the least attention, and it is the potential impact on public health. Now, although most people think of this initiative as one involving individual patients and their access to care, there are major public health implications as well.

In our Nation, public health has become something of a forgotten stepchild of the health care system. In